

PUBLIC NOTICE

Notice is hereby given that the Massachusetts Department of Environmental Protection (MassDEP), under authority granted by the Massachusetts Clean Waters Act, M.G.L. c. 21, §§26 –53, is proposing to: issue a revised federal Clean Water Act (CWA) section 401 certification for the U.S. Environmental Protection Agency's (EPA) proposed 2023 Final NPDES Permit (Federal Permit) (MA Permit No. MA0000787) to Logan International Airport and the Co-Permittees for their pollutant discharges to Boston Harbor, Boston Inner Harbor, and Winthrop Bay (MA70-01, MA70-02, and MA70-10). Logan International Airport is located at 1 Harborside Drive, East Boston. The proposed section 401 certification is available at <https://www.mass.gov/service-details/massdep-public-hearings-comment-opportunities>. Alternatively a copy of the document can be obtained by contacting Cathy Coniaris, MassDEP Surface Water Discharge Program, at 617-835-6693 or catherine.coniaris@mass.gov. Written comments on both the proposed section 401 certification and the proposed State Permit will be accepted until 5:00 p.m. on April 19, 2023. MassDEP strongly encourages written comments to be submitted by email to massdep.npdes@mass.gov; subject line: Logan International Airport. If not possible, please send by mail to Cathy Coniaris, 100 Cambridge St. Suite 900, Boston, MA 02114.

Following the close of the comment period, MassDEP will issue a final CWA section 401 certification and final State Permit and forward copies to the applicant and each person who has submitted written comments or requested notice.

For special accommodations, please call the MassDEP Diversity Office at 617-292-5751. TTY# MassRelay Service 1-800-439-2370. This information is available in alternate format upon request.

By Order of the Department

Gary Moran, Acting Commissioner

DRAFT
Clean Water Act Section 401 Certification
For the Final 2023 Federal NPDES Permit
For Logan International Airport
MA Permit No. MA0000787

The Massachusetts Department of Environmental Protection (MassDEP), having examined Massachusetts Port Authority's (Massport) National Pollutant Discharge Elimination System (NPDES) permit application for Logan International Airport, reviewed the United States Environmental Protection Agency (EPA) – Region 1's draft 2021 Federal NPDES permit (MA Permit No. MA0000787) for Logan International Airport issued for public notice on April 12, 2021, public comments received on MassDEP's proposed Clean Water Act Section 401 Certification for the draft 2021 Federal NPDES Permit for Logan International Airport, EPA's final 2023 Federal NPDES permit, and in consideration of the relevant water quality considerations, hereby certifies:

1. that the following conditions, together with the terms and conditions contained in the final 2023 Federal NPDES permit for Logan International Airport, are necessary to assure compliance with the applicable provisions of the Federal Clean Water Act Sections 208(e), 301, 302, 303, 306, and 307 and with appropriate requirements of State law, including, without limitation, the Massachusetts Clean Waters Act, M.G.L. c. 21, §§ 26-53 and the Massachusetts Water Quality Standards published at 314 CMR 4.00:
 - a. Pursuant to 314 CMR 3.11 (2)(a)6., and in accordance with MassDEP's obligation under 314 CMR 4.05(5)(e) to maintain surface waters free from pollutants in concentrations or combinations that are toxic to humans, aquatic life, or wildlife, within six (6) months of the effective date of the 2023 Federal NPDES permit, the permittee shall submit to MassDEP an evaluation of whether the facility uses or stores any products containing any per- and polyfluoroalkyl substances (PFAS) and whether use or storage of those products can be reduced or eliminated. The analysis shall be submitted electronically to massdep.npdes@mass.gov.
 - b. Pursuant to 314 CMR 3.11 (2)(a)6., and in accordance with MassDEP's obligation under 314 CMR 4.05(5)(e) to maintain surface waters free from pollutants in concentrations or combinations that are toxic to humans, aquatic life, or wildlife, beginning six (6) months after the permittee has been notified by EPA of a multi-lab validated method for wastewater, or two (2) years after the effective date of the 2023 Federal NPDES permit, whichever is earlier, the permittee shall conduct monitoring of the effluent for PFAS compounds as detailed in the table below. If EPA's multi-lab validated method is not available by twenty (20) months after the effective date of the 2023 Federal NPDES permit, the permittee shall contact MassDEP (massdep.npdes@mass.gov) for guidance on an appropriate analytical method. Notwithstanding any other provision of the 2023 Federal NPDES permit to the contrary, monitoring results shall be reported to MassDEP electronically, at massdep.npdes@mass.gov, or as otherwise specified, within 30 days after they are received.

Effluent (Outfalls 01A, 02A, 03A, 04A, 01B, and 02B)

Parameter	Units	Measurement Frequency	Sample Type
Perfluorohexanesulfonic acid (PFHxS)	ng/L	Quarterly ¹	Grab
Perfluoroheptanoic acid (PFHpA)	ng/L	Quarterly	Grab
Perfluorononanoic acid (PFNA)	ng/L	Quarterly	Grab
Perfluorooctanesulfonic acid (PFOS)	ng/L	Quarterly	Grab
Perfluorooctanoic acid (PFOA)	ng/L	Quarterly	Grab
Perfluorodecanoic acid (PFDA)	ng/L	Quarterly	Grab

2. that there is a reasonable assurance that the activity will be conducted in a manner which will not violate applicable state water quality standards.

MassDEP understands that EPA is working to identify ways to make data associated with permits more accessible to the public, and in particular to Environmental Justice (EJ) populations in the vicinity of permitted facilities. While such actions may not occur as part of the Logan Airport final permit issuance, but instead as a separate activity supporting multiple permits, MassDEP supports and encourages these efforts by EPA. MassDEP welcomes input from EJ populations on the best ways to receive data associated with NPDES and Surface Water Discharge permits.

To meet the requirements of Massachusetts laws, each of the conditions cited in the draft permit and this certification shall not be made less stringent unless new data or other information is presented and MassDEP determines modification of this certification is appropriate in consideration of the relevant water quality considerations.

Given a recent change in practice on 401 Water Quality Certifications for NPDES permits in Massachusetts, MassDEP is required by EPA to issue certifications based on draft NPDES permits. The purpose of the certification is to verify that the permit complies with applicable state laws and regulations, including the Massachusetts Surface Water Quality Standards at 314 CMR 4.00. MassDEP issued a 401 Water Quality Certification on August 11, 2021. After reviewing the final 2023 permit and in consideration of the recently revised Surface Water Quality Standards, MassDEP hereby re-certifies this permit.

Signed this ____ day of ____, 2023

Lealdon Langley, Director
Massachusetts Department of Environmental Protection
Bureau of Water Resources
Division of Watershed Management

¹ Quarters are defined as January to March, April to June, July to September, and October to December. Samples shall be taken during the same month each quarter and shall be taken 3 months apart (e.g., an example sampling schedule could be February, May, August, and November).